

Amendment No. 2 to SB1716

**McNally
Signature of Sponsor**

AMEND Senate Bill No. 1716

House Bill No. 1650*

by deleting Section 1 and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-3-901, is amended by adding the following as a new subsection:

(l)

(1) Revenues from the gasoline tax distributed to the counties, cities, and highway fund pursuant to subsection (b) shall be used for the construction, improvement, maintenance, and operation of streets, highways, bridges, and other transportation infrastructure, including transit, except as may otherwise be specifically provided as follows:

(A) For public roads with a posted speed limit greater than thirty-five (35) miles per hour, no revenues from the gasoline tax distributed to the counties, cities, and highway fund pursuant to subsection (b) shall be used for the construction of pedestrian and bicycle trails and paths; parks; greenways; and similar facilities open to the use of the public for non-vehicular travel, except that such revenues may be used for the construction, improvement, or maintenance of sidewalks; and

(B) For new or reconstructed roads with a proposed posted speed limit of thirty-five (35) miles per hour or less, no revenue from the gasoline tax distributed to the counties, cities, and highway fund pursuant to subsection (b) shall be used for the construction of a new dedicated

Amendment No. 2 to SB1716

**McNally
Signature of Sponsor**

AMEND Senate Bill No. 1716

House Bill No. 1650*

bicycle lane unless the work is part of the larger highway improvement project and the bicycle lane serves a transportation purpose supported by an engineering analysis.

(2) Nothing in this subsection (l) shall prevent the state or a county or a city from receiving or using federal funds for the construction, improvement, maintenance, or operation of non-vehicular facilities, whether incidental to or independent of a highway or bridge construction project; and provided further, that nothing in this subsection (l) shall prohibit the state or a county or a city from using the revenues from the gasoline tax distributed pursuant to subsection (b) to match federal-aid funding for such facilities as required by federal law.

(3) Nothing in this subsection (l) shall preclude the state or a county or a city government from using revenue from the gasoline tax distributed to the counties, cities, and highway fund pursuant to subsection (b) to maintain existing bicycle lanes or to accommodate bicycles in existing bike lanes or on shoulders or via shared lanes.

(4) Nothing in this subsection (l) shall preclude the department of environment and conservation from using funds that may be derived through grants from the department of transportation or federal programs for recreational trails in state parks.